



LAMPREY RIVER ADVISORY COMMITTEE
NEWMARKET • DURHAM • LEE • EPPING

August 11, 2006

The Honorable David Currier, Chair
Shoreland Protection Study Commission
Legislative Office Building, Room 305
Concord, NH 03301

RE: Recommendations for Changes to RSA 483B, Comprehensive Shoreland Protection Act (CSPA)

References: (1) Rivers Management Advisory Committee, "Comprehensive Shoreland Protection Act: Challenges and Recommendations", June 13, 2006
(2) Ashuelot River Local Advisory Committee, "Support for CSPA Proposals", July 25, 2006

Dear Representative Currier:

The Lamprey River Advisory Committee (LRAC) has responsibilities for (1) the Lamprey River in the towns of Durham and Lee under the State's Rivers Management and Protection Program and (2) the Lamprey River in the towns of Newmarket, Durham, Lee, and Epping under the national Wild and Scenic Rivers System.

The Comprehensive Shoreland Protection Act is one of the most important statutes that serve to protect water quality in our public waters, and we welcome the opportunity to forward comments and support the efforts of your Commission.

On behalf of the Lamprey River Advisory Committee, I submit the following recommendation:

- General Application - that the Act more clearly state and emphasize the application to all shorelands including freshwater lakes, freshwater rivers and streams, tidal rivers and streams, estuarine areas, and the New Hampshire seacoast;
- Stream Order Application - that the Act apply to all orders of streams in the State, both perennial and intermittent;
- Determination of Stream Order - that stream order referenced in the Act be revised in accordance with the National Hydraulic Database being developed by UNH and the DES;

- Buffer Zone Width - that a standard buffer zone of 100' of no-disturb, natural vegetation be established for all shorelands (Note: Scientific research has demonstrated that a buffer of this width is required to filter out most contaminants);
- No-Cut Zone - that a state-wide no-cut zone for trees be established in the buffer with allowance for a six-foot wide unpaved winding path to the shore for each property;
- Impervious Surface - that impervious cover on Shoreland property be limited to one percent. (Note: Close proximity to water and potential for rapid runoff require much stricter standards);
- Role of Subsurface Water - that the intimate connection between surface and subsurface waters be recognized in the Act with setback requirements for location of aquifer wells;
- Stormwater Runoff - that the effects of stormwater runoff be recognized in the Act with design requirements for both quality and quantity of water channeled into public waters; and
- Shoreland Permit Process - that a permit process be established as a component of the Act (similar to the wetlands permitting process) for funding DES/CSPA staff positions, public education, and enforcement.

We hope that these comments will be helpful and look forward to the final recommendations of the Commission.

Respectfully submitted,

Brian A. Giles, P.E.
Lamprey River Advisory Committee
22 Lamprey Lane
Lee, NH 03824

c: LRAC members
Steve Couture, DES